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23. (New) The terminal of claim 22 wherein the customer input interface further comprises a camera for capturing video information of the customer, the data transfer interface transmitting the video information to the remote help desk operator to create a video conference.

24. (New) The terminal of claim 1 wherein the electronic media comprises an electronic book.

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Remarks

The present amendment responds to the Official Action mailed November 8, 2002. The Official Action objected to Figs. 1-10 filed on January 11, 2000, due to their margins being too small. The Official Action rejected claims 1 and 18-20 under 35 U.S.C. §102(e) as anticipated by Walker et al. U.S. Patent No. 6,327,573 (“Walker”). Claims 2-6, 8, and 9 were rejected under 35 U.S.C. §103(a) based on Walker in view of African American Literature Book Club, *All About eBooks* (January 5, 2000), available at <http://www.aalbc.com/writers/ebooks/Allaboutebooks.htm> (“eBooks”). Claim 7 was rejected under 35 U.S.C. §103(a) based on Walker in view of eBooks and further view of Nigel Cope, *Tesco to Use ‘Class’ System for Customer Discounts* (The Independent, April 7, 1999) (“Cope”). Claims 10-14, 16, and 17 were rejected under 35 U.S.C. §103(a) based on Walker in view of Cope. Claim 15 was rejected under 35 U.S.C. §103(a) based on Walker in view of Cope and further in view of eBooks. These issues are addressed below following a brief discussion of the present invention to provide context.

Claims 3, 4, and 11 have been cancelled without prejudice. Claims 1, 5, 6, 10, 18, and 21 have been amended to be more clear and distinct. Claims 22-24 have been added to more

completely cover certain aspects of the Applicant's invention. Claims 1, 2, and 5-24 are presently pending. Attached hereto is a marked-up version showing the changes made to the paragraph beginning at page 8, line 3 of the specification and to claims 1, 5, 6, 10, 18, and 21 by the present amendment. The claim amendment attachment is captioned "**Version with Markings to Show Changes Made**".

#### The Present Invention

The advent of electronic book readers and the widespread use of personal digital assistants (PDAs) have increased the convenience of reading electronic books and have made it more likely that electronic books will be widely accepted in the marketplace. In addition, the portability of these devices and their increased memory capacity make it attractive to travelers to carry electronic books rather than a collection of conventional paper books.

A widespread and convenient distribution system would greatly increase customer acceptance of electronic books. Consumer acceptance will be enhanced if a system can be provided in a place where a customer is likely to frequently go, such as a supermarket, or where having such a system readily available would increase the likelihood and convenience of impulse purchases, such as an airport gift shop or hotel lobby. Acceptance will also be enhanced if the system allows easy access to a wide variety of titles in a single location, with provisions to allow browsing or searching of titles, or other means of finding titles matching customer interests.

Consumer acceptance would also be enhanced if the system could be operated directly by the customer. A system which could be efficiently and conveniently operated by a customer would avoid the need for customers to wait for assistance from a retailer employee. A customer operated system would also allow distribution in locations where it was costly or inconvenient to

offer in-person employee assistance such as serving customers on a round-the-clock basis, for example, and would thus allow for a wider variety of placement locations.

At present, a further obstacle to widespread distribution of electronic books is the problem of piracy. Piracy is not a problem with paper books, as the cost of illicitly duplicating a paper book is typically greater than the cost of purchasing a new copy. With electronic media, however, duplication can be both simple and inexpensive. In the absence of sufficient safeguards, a customer could pay for and download a single copy of a book, and could then distribute illicit copies via the Internet. Any distribution system for electronic books should include safeguards or other aspects to prevent piracy, or the system cannot be commercially viable.

The present invention advantageously addresses such problems as those outlined above. One information distribution system according to the present invention includes a plurality of customer self-service stations adapted to transfer data to a portable reader or alternatively to a smart card. Each station includes a point of sale terminal for processing financial information, as well as information processing resources for retrieving electronic books and other information and transferring the information to portable readers or smart cards. The system provides servers for supporting the self-service stations by providing content for distribution, advertising and customer interface selections, as well as for the collection and processing of customer information collected from the self-service stations. Each station collects customer information based on customer selections made at the station or stored in a portable reader or smart card. The customer information is transferred to a central repository and processed for merchandising or customer incentives for purchasing electronic media. When a customer initiates a session at a self-service station, the station retrieves customer information from the central repository as well as or alternatively from the reader or smart card, and uses the customer information to develop menus

and offer suggestions. Customer inputs are used to make selections and conduct transactions, and to select from various help and conference options. The station may also offer incentives based on retrieved customer information and customer inputs.

The present invention relates generally to a self service terminal providing a customer the capability to download electronic media to the customer's contact device such as electronic book reader, PDA, smart card, or the like. Additionally, the present invention includes an electronic media distribution system which includes a network of these specifically developed self service terminals in addition to various servers providing the infrastructure to accomplish downloading electronic media in a commercial and public environment.

#### Specification Modification

In order to further clarify the wording "terminal support manager" and "terminal data manager" as used in original claim 10, the paragraph beginning at page 8, line 3 has been amended by adding these additional names to elements labeled 206 and 210 in Fig. 2 respectively. No new matter has been added by this amendment.

#### Fig. 1-10 Drawing Corrections

Formal drawings were filed on September 14, 2000 which adhere to the margin requirements. Fresh copies are submitted herewith in case those submitted earlier have been lost.

#### The Art Rejections

All of the art rejections hinge on the application of Walker, eBooks, and Cope. As addressed in greater detail below, Walker, eBooks, and Cope do not support the Official Action's reading of them and the rejections based thereupon should be reconsidered and withdrawn. Further, the Applicant does not acquiesce in the analysis of Walker, eBooks, and Cope made by the Official Action and respectfully traverses the Official Action's rejections.

Claims 1 and 18-20 were rejected under 35 U.S.C. §102(e) as being anticipated by Walker. Walker is entitled "Multiple Party Reward System Utilizing Single Account". It addresses a method for rewarding multiple shoppers within a frequent shopper reward program using a single frequent shopper card. Walker, col. 2, lines 7-10. It further addresses tracking performance data of a plurality of members or account holders linked to a single frequent shopper card by accumulating awards for all members on the card or those members only present during a transaction. See col. 2, lines 15-18 and col. 14, lines 22-27. At col. 4, line 58 through col. 5, line 8, Walker suggests that the system store the rules governing the frequent shopper program for the account on to the smart card itself. As with most smart card applications of today, only support information such as the frequent shopper program rules are stored on the smart card and the user has no control of any of the specific information retrieved or stored on the smart card. Additionally, as with most reward programs, the user redeems points for goods or services outside the system used for managing the reward system. For example, a frequent shopper may be awarded reduced priced grocery items based upon the number of points accumulated on his or her smart card.

In contrast to Walker, the present invention addresses the purchase of electronic media selected by a customer. The information that is downloaded to a contact device such as a book reader, smart card, or the like is information selected by the customer using the self service terminal. Unlike Walker, the electronic information itself is the purchased good. Claims 1 and 18, as presently amended, make clear that electronic information is being selected, purchased, and transferred to the customer from a public self service terminal. Claim 1 recites "a customer input interface including a display for communicating information to a customer describing available options and choices, the customer input interface allowing input from a customer, the customer

input interface allowing a customer to select electronic media for purchase; a data acquisition interface for acquiring customer selected electronic media for transfer to the customer; a data transfer interface for transferring customer selected electronic media to a customer contact device.” (Emphasis added.) Claim 18 recites “displaying a choice of electronic media for purchase; selecting the electronic media for purchase; and receiving the selected electronic media on to the contact device.” Walker does not disclose and does not claim purchasing electronic information from a self-service terminal as claimed.

Claims 2-6, 8, and 9 were rejected under 35 U.S.C. §103(a) based on Walker in view of eBooks. eBooks is an Internet article describing what an eBook is and how eBook technology will affect the publishing industry. eBooks addresses trends in the industry and briefly runs down a list of eBook reader hardware and associated eBook reader software from a consumer perspective. Specifically, eBooks list eBook readers manufactured by Glassbook, NuvoMedia, SoftBook Press, and the like. In the description section of the respective eBook readers, brief statements are made about their function. For instance, the Official Action cites “Description of Glassbook Bookstore Kiosk” with respect to teaching an in-store kiosk that allows a user “to securely download electronic book media onto his/her client eBook device.” The entire disclosure at the cited portion of eBooks recites “The Glassbook Commerce Server provides secure Web server-based eBook preparation, storage, distribution, and fulfillment to publishers, distributors, and booksellers. The server is based on EBX providing secure copyright and distribution over the Internet.” It is believed that this conclusory disclosure may not enable one ordinarily skilled in the art to make or use an electronic distribution self-service terminal as claimed. If eBook was considered enabling, Dick Tracy’s wristwatch in the 1930’s comic book series in combination with a telephone would have made obvious many of today’s patents on cell phones.

Unlike eBooks, claim 1, as presently amended, claims receiving customer information including purchase and usage patterns from either a customer contact device, a central database, or both. This feature is particularly useful in determining customer preferences and tailoring specific recommendations to the customer. The recommendations are based on customer history. This retrieved history may include various categories browsed in the past, previews or excerpts read, and responses to surveys. Additionally, claim 1, as presently amended, recites “generating customer selectable options based on the received customer information.” The received customer information may be stored on the contact device such as a smart card, bookreader, or the like, in addition to a remote database, the terminal data manager, for example. Storing the customer information in any combination between the contact device and the remote database advantageously allows accumulation of customer information at distribution stations that are either temporarily disconnected or not connected at all to the terminal data manager.

In general, eBooks does not suggest combining its teachings with the features of an multiple party loyalty reward system, such as the reward system in Walker. Even if eBooks were to be combined with Walker as suggested, the combination would not result in a self service terminal which generates customer selectable options based on the customer’s information and downloads purchased electronic media as claimed.

Claim 7 was rejected under 35 U.S.C. §103(a) based on Walker in view of eBooks and further view of Cope. Cope fails to cure the deficiencies of Walker and eBooks. Cope is a newspaper article announcing the revamping of Britian’s biggest supermarket group’s customer loyalty card program to entice high-spending shoppers. The article addresses the main benefit of the cards as being the information on shoppers’ habits provided to retailers allowing retailers to target special promotions and to modify store layouts based on the shoppers’ information. Like

eBooks, Cope does not disclose the customer information interface, the customer input interface, the data acquisition interface, and the data transfer interface as claimed. In general, Cope does not suggest combining its teachings with the features of an electronic media distribution kiosk, such as the kiosk of eBooks. Even if Cope were to be combined with Walker and eBooks as suggested, the combination would not result in a self service terminal which downloads purchased electronic media as claimed.

Claims 10-14, 16, and 17 were rejected under 35 U.S.C §103(a) based on Walker in view of Cope. Walker and Cope fail to disclose the advantageous features of the electronic distribution system as claimed by these claims. Claim 10, as presently amended, recites “a distribution terminal adapted ... to transfer the customer selected electronic media to the customer contact device; a terminal support manager for storing customer specific information including customer characteristics and preferences and providing customer information to the station for use in developing customer tailored selectable options and suggestions based on the customer specific information; and a terminal data manager for storing and retrieving electronic media to be distributed to a customer and for transferring customer selected electronic media to the station as needed.” (Emphasis added). Walker and Cope disclose reward programs for frequent shoppers and do not disclose an electronic distribution system which distributes electronic media selected by a customer as presently claimed.

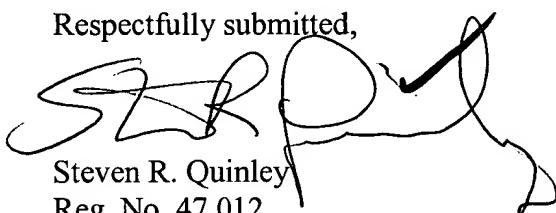
Claim 15 was rejected under 35 U.S.C. §103(a) based on Walker in view of Cope and further in view of eBooks. Claim 15 is indirectly dependent on claim 10 and contains all the limitations of claim 10 as amended. This claim distinguishes from the references in the same manner as claim 10.

Claims 22 and 23 have been added to more completely cover the Applicant's invention by claiming the audio and video conferencing feature at a self-service terminal. This feature is important to a customer who may have questions concerning the electronic purchase of media and would prefer discussing those questions with a customer service representative. These features are not disclosed and are not suggested in the Walker, eBooks, or Cope references.

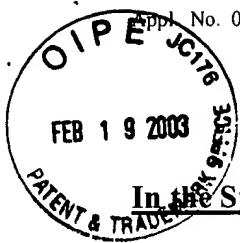
Conclusion

All of the presently pending claims define over the applied art. The present rejections should be withdrawn and the claims promptly allowed.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

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**GROUP 3600**

In the Specification:

Please replace the paragraph beginning at page 8, line 3, with the following rewritten paragraph:

Fig. 2 illustrates an electronic distribution system 200 for the distribution of electronic books and the receipt of marketing and service information. The system 200 includes one or more store systems such as the store system 201. The store system 201 comprises a plurality of customer self-service stations 202A-202N, similar to the station 100 of Fig. 1. The stations 202A-202N are connected to a first network hub 204, which is in turn connected to a self service station server or also known as a terminal support manager 206. The station server 206 provides a connecting point for providing services to stations in a single location such as a retail store. The self service station server 206 connects to an advertising server 208 and a bookstore content server or also known as a terminal data manager 210. The self service station server is also connected to a second network hub 212 which provides connection to a local help desk 214 and a point of sale server 216. The point of sale server 216 provides connection to a point of sale network 218. The second network hub 212 also provides connection to one or more store backoffice servers such as store backoffice server 220. The backoffice server 220 provides a connection to a store headquarters network 222 which provides services to the store system 201 and other similar store systems. The store headquarters network 222 is connected to an advertising generator 224 and a remote help desk 226. The self-service station server 206, advertising server 208, bookstore content server, store backoffice server 220 and store headquarters network 222 are preferably connected to the Internet 228 to provide a convenient means for information transmission. Each of these components preferably possesses encryption capability for secure transmission over the

Internet 228. The advertising generator 224 makes advertising content to each store system such as the store system 201. The advertising content may be displayed on each of the stations 202A-202N in response to predetermined choices. In addition, customer data and customer responses may be used to select advertising content to be displayed on a specific station. The local help desk 214 or remote help desk 226 may be connected to a station in response to a customer command to connect to the local help desk 214 or remote help desk 226. Additionally, the self service station server 206 may examine customer selections and make contact with the help desk in response to erroneous selections.

**In the Claims:**

Please cancel claims 3 and 4 without prejudice.

Please amend the following claims 1, 5, 6, 10, 18, and 21.

1. (Amended) A self-service terminal for allowing customer download of electronic media comprising:

    a customer information interface for receiving customer information including purchase and usage patterns;

    a customer [command] input interface including a display for communicating information to a customer describing available options and choices, [and] the customer input interface allowing input [of] from a customer [commands], the customer input interface allowing a customer to select electronic media for purchase;

    a data acquisition interface for acquiring customer selected electronic media for transfer to [a] the customer;

a data transfer interface for transferring customer selected electronic media to a customer contact device; and

a processor for receiving the customer information, using the customer information to identify customer preferences, generating customer information displays based on customer preferences and purchase and usage patterns, generating customer [command menus] selectable options based on the received customer information, receiving customer [commands] selections and processing financial transactions and data transfers based on the customer [commands] selections.

5. (Amended) The terminal of claim [4] 2 wherein download cradle is adapted to read customer information from the electronic book reader and wherein the customer information interface includes the download cradle.

6. (Amended) The terminal of claim [5] 1 wherein the customer information interface further includes a smart card reading and writing device for reading customer information [to] from and writing data [from] to a smart card and

wherein the data transfer interface also includes the smart card reading and writing device, the smart card reading and writing device being adapted to receive data from and transfer data to the terminal.

10. (Amended) A system for distribution of electronic media comprising:

a distribution terminal adapted to establish contact with a customer using a customer contact device and to transfer the customer selected electronic media to the customer contact device;

a terminal support manager for storing customer information including customer characteristics and preferences and providing the customer [specific] information to the terminal for use in developing customer tailored [command menus] selectable options and suggestions based on the customer information [characteristics and preferences]; and

a terminal data manager for storing and retrieving electronic media to be distributed to [a] the customer and for transferring [the] customer selected electronic media to the terminal as needed;

wherein the customer selects electronic media for purchase, the distribution station receiving the selected electronic media from the terminal data manager as needed, and the distribution station transferring the customer selected electronic media to the customer contact device.

18. (Amended) A method of electronic media distribution, comprising the steps of: arousing a customer terminal from an idle state upon presentation of a customer contact device;

retrieving customer information; [and]  
generating [an opening menu] customer tailored selectable options based on the retrieved customer information;

displaying a choice of electronic media for purchase;  
selecting the electronic media for purchase; and  
receiving the customer selected electronic media on to the contact device.

21. (Amended) The method of claim 20

wherein the step of retrieving the customer information is followed by a further step of retrieving advertising content and

wherein the advertising content and the centrally stored customer information are processed to generate a java applet, and

wherein the step of generating the opening menu of customer selectable options includes providing the locally stored customer information to the java applet as an input.